

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

DOUGLAS HANDSHOE

PLAINTIFF

VS.

CIVIL NO.: 1:15cv382-HSO-JCG

VAUGHN PERRET, *et al.*

DEFENDANTS

**NOTICE OF WITHDRAWAL OF MOTION TO
CONTINUE JANUARY 24, 2019 HEARING**

COMES NOW, Kenneth T. O'Cain, counsel for Charles Leary, and files this his withdrawal of motion to continue as it pertains to the conflict with the January 24, 2019 hearing previously represented to the Court, and would show unto the court the following:

1. This day, January 22, 2019, marks the first day of trial in the Circuit Court of Hinds County matter previously identified in Leary's motion for continuance. This matter was scheduled for multiple days, and it was anticipated the trial would last until Friday, January 25, 2019.
2. However, following a break at noon and while the jury selection process was under way, the parties were able to resolve the case. Due to the fact the trial has settled, the undersigned no longer has a conflict with January 24, 2019 and would respectfully withdraw that portion of his motion for continuance.

WHEREFORE PREMISES CONSIDERED, the undersigned counsel of record for Charles Leary respectfully withdraws the request for continuance of the January 24, 2019 hearing for the reasons set forth herein.

Respectfully submitted this the 22nd day of January, 2019.

CHARLES LEARY

BY: s/Kenneth T. O'Cain
Kenneth T. O'Cain, Esq.

OF COUNSEL:

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CERTIFICATE OF SERVICE

I, Kenneth T. O'Cain, counsel for the Defendant, Charles Leary, do hereby certify that I have this day filed the foregoing Notice of Withdrawal in this cause of action through the ECF filing system, which forwarded copies via electronic means to the ECF participants as assigned and associated with this cause of action.

So certified this the 22nd day of January, 2019.

s/Kenneth T. O'Cain
Kenneth T. O'Cain